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October 17, 2023

Via ECF

The Honorable Arun Subramanian
United States District Judge
Southern District of New York
500 Pearl Street, Courtroom 15A
New York, NY 10007

The IPTC set for October 25 is hereby adjourned to November 30, 2023, at 11:30 AM. The joint letter, CMP, and scheduling order are hereby due November 28, 2023. The Clerk of Court is directed to terminate Dkt. 12.

SO ORDERED.



Arun Subramanian, U.S.D.J.

Date: October 18, 2023

Re: *Hongmian Gong v. Lerone Savage*, 23-CV-07355 (AS)

Dear Judge Subramanian,

Plaintiff hereby respectfully requests adjournment of the initial pre-trial conference currently scheduled for October 25, 2023, at 9:30 a.m. and a 30-day extension of time to file the associated Scheduling Order, Joint Letter, and Proposed Case Scheduling Plan.

Plaintiff filed its Summons and Complaint on August 18, 2023. An initial pre-trial conference is currently scheduled by the Court for October 25, 2023, at 9:30 a.m. The Court also directed the parties to submit a Joint Letter, a proposed Civil Case Management Plan, and a Proposed Scheduling Order no later than Thursday of the week prior to the conference date, i.e., by Thursday, October 19, 2023. Pursuant to Local Civil Rule 7.1(d), Plaintiff hereby respectfully requests that the initial pre-trial conference be adjourned for 30 days. Plaintiff further requests a 30-day extension in which to file the Joint Letter, proposed Civil Case Management Plan, and Scheduling Order. Further, since the Court requires requests for extension to be filed two days before the due date, this motion is being timely filed.

As of the filing of this letter motion, no previous requests for an extension of time or adjournment have been submitted previously. Plaintiff's counsel requests this adjournment because the Defendant has not yet submitted an answer to Plaintiff's complaint or otherwise filed an Appearance of Counsel. Given that the Defendant has not yet appeared, the defendant cannot presently consent to this motion. Plaintiff has diligently attempted personal service of the summons, complaint, and other documents upon the Defendant, without success. Plaintiff has therefore affected "nail-and-mail" service upon the Defendant and will submit an affidavit of service to that effect imminently. As of the filing of this motion, the parties do not have any other scheduled appearances or deadlines.

Accordingly, Plaintiff's counsel respectfully requests that the initial pre-trial conference scheduled for October 25, 2023, at 9:30 a.m. be adjourned and that the associated scheduling documents be extended for 30 days.

Respectfully submitted,

By: /s/ Robert D. Katz

Robert D. Katz, Esq.
Attorney for Plaintiff